IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 9830

Paul M. Tsou, M.D.

Application/Control No: 10/749,457

Filed: December 31, 2003

For: Minimal Access Apparatus for Endoscopic Spinal Surgery

Art Unit: 3732

Examiner: Candice Stokes

Docket No.: 455770.15022

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action dated July 12, 2007, the applicant presents the below arguments. Applicant is also submitting a declaration of the inventor, Declaration of Paul M. Tsou, M.D., pursuant to 37 C.F.R. \$1.132.

CERTIFICATE OF MAILING

I hereby certify that this document and every paper referred to herein as being enclosed, is being deposited this date by X First Class Mail by placing a copy in an envelope with postage affixed addressed to:

> Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

and depositing the envelope with the U.S. Postal Service on August 13, 2007

Myriam Kulig